

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2002:

Present

Vote

Donald E. Wiggins, Chairman  
Walter C. Zaremba, Vice Chairman  
Sheila S. Noll  
James S. Burgett  
Thomas G. Shepperd, Jr.

On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE COUNTY'S AGREEMENT WITH THE JAMESTOWN-YORKTOWN EDUCATIONAL TRUST, LTD. FOR THE ACQUISITION OF REAL PROPERTY.

WHEREAS, as a result of the due diligence work preformed prior to the County's acquisition of the property bequeathed to the **JAMESTOWN-YORKTOWN EDUCATIONAL TRUST, LTD.**, a Virginia nonprofit corporation (the "Trust"), from the Matthews Estate it was discovered that a certain portion of the parcel known as 12F was contaminated and would require remediation; and

WHEREAS, the County and the Trust amended the original real estate purchase and sale agreement to indicate that parcel 12F would be transferred to the County after the required remediation efforts were completed, with the sum of \$140,000 (being the agreed purchase price for parcel 12F) being placed into escrow pending completion of the remediation; and

WHEREAS, in the mutual interest of revitalizing Yorktown, promoting a clean environment, and securing the easement necessary for the construction of the Riverwalk, the County and the Trust have continued to negotiate the terms under which the County would share in the cost of remediation and the Trust would transfer the easement necessary for the construction of the Riverwalk; and

WHEREAS, the County and the Trust have agreed to the following terms:

1. The Trust will pay the first \$140,000 of remediation costs, such sum to be released from escrow upon execution of the agreement.
2. Remediation costs over \$140,000 and up to \$500,000 will be shared on a 70% - 30% basis with the County paying 70%.
3. Remediation costs over \$500,000 will be the sole responsibility of the Trust.
4. The easement necessary for the Riverwalk will be conveyed upon execution of the appropriate contract amendment incorporating the terms set out above.
5. Upon completion of the remediation work, parcel 12F will be conveyed to the County without further compensation being paid to the Trust.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_\_\_ day of \_\_\_\_\_, 2002, that the County Administrator be, and hereby is, authorized to execute an amendment to the County's agreement with the Jamestown-Yorktown Educational Trust, Ltd. for the acquisition of real property generally in accordance with the terms included above.